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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/249,916	02/12/1999	BILL HOERNER	29020/96007B2	1482

7590

11/28/2001

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EXAMINER

LEV, BRUCE ALLEN

ART UNIT

PAPER NUMBER

3634

DATE MAILED: 11/28/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/249,916

Applicant(s)
Hoerner

Examiner
Bruce A. Lev

Art Unit
3634



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Oct 15, 2001
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-20 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

Bruce A. Lev
Patent Examiner

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. Claims 17 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Shaner et al 5,445,208.

As concerns claim 17, Shaner et al set forth a panel for a sectional door comprising a frame (inclusive of members 148 and 150 and illustrated in Fig. 8) defining at least one central area, the frame including a horizontal member 148 adapted to be coupled to a hinge member for hingedly connecting to another panel; and a plurality of material layers received within the central area and held in place by the frame, the layers being movable relative to each other.

As concerns claim 20, Shaner et al set forth the sectional door panel, as advanced above, including the method of providing a frame defining a central area; inserting layers of material into the central area, and to provide relative movement between the layers; and coupling a hinge member (inclusive of members 26 and 27) to the frame allowing the panel to be hinged to another door panel.

Claim Rejections - 35 USC § 103

2. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaner 5,445,208 in view of Albrecht 5,848,508.

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As concerns claim 18, Shaner et al set forth the panel, as advanced above, except for the frame comprising first and second aluminum extrusions joined together by at least one weldment. However, **Albrecht teaches** forming a frame comprising first and second aluminum extrusions 30 joined together by at least one weldment (viewed as the connection means between the frame members 30 as illustrated in Figure 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the panel of Shaner et al by forming the frame as comprising first and second aluminum extrusions joined together by at least one weldment, as taught by Albrecht, in order to increase the strength of the door panel.

As concerns claim 19, Shaner et al in view of Albrecht set forth the panel comprising a polystyrene core and polyethylene layers (as discussed in column 2, line 29 through column 3, lines 8, and column 4, line 43, through column 5, line 2 of Shaner).

Conclusion

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.

THIS ACTION IS MADE FINAL. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

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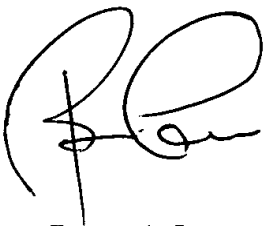
A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bruce A. Lev whose telephone number is (703) 308-7470.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-2168.

November 26, 2001

A handwritten signature in black ink, appearing to be 'B. Lev' with a stylized flourish.

Bruce A. Lev

Primary Examiner

Group 3600